

REMARKS/ARGUMENTS

Drawings: A replacement sheet for Fig. 5, deleting reference number 4, is attached hereto.

102 Rejections: Claims 1 - 11 have been rejected under 35 U.S.C. Section 112. In response, these claims 1, 2, 3, 7, 8, and 11 have been amended to delete problems with antecedent basis. Therefore, the Applicants respectfully request that the re of claims 1 – 11 be withdrawn.

Rejections on Prior Art

Claims 1 – 28 have been rejected under 35 U.S.C. 103(a) as unpatentable over Haack, et al., U.S. Patent 6,564,906 in view of Gilliland, U.S. Patent 5,595,259. Reconsideration of the claims in view of the following amendments and remarks is respectfully requested.

Haack discloses an industrial delivery vehicle including “modules” which are positionable between operating positions, as for example, in a front region and a rear region. As discussed with reference to Fig. 2, the function regions include a first module 23 having a steering wheel 29 and a second module 25 including operating elements 31 for selecting between forward and reverse travel and for controlling travel speed. Referring to Column 7, line 55 to column 8 line 17, and also to Fig. 5, the vehicle is shown to include modules arranged such that the operator can face forwards, backwards, or transverse to the direction of travel. When facing toward the rear of the vehicle, the operator controls functions 323 (steering) with one hand and 325 (direction and speed) with the other hand, while operating foot switch 347. When facing toward the front of the vehicle, he provides the same functions using function regions 325’ (direction and speed) and 326 (steering) and foot switch 349. When facing transverse to the direction of travel, the operator controls station 323 (steering) with one hand, 325’ (direction and speed) with the other hand, and uses foot switch 349.

Therefore, depending on operator orientation, the operator selects between multiple steering mechanisms and floor or foot switches.

Haack, therefore, requires multiple steering mechanisms for controlling the vehicle from opposing ends, as well as foot switches.

Gilliland discloses a control handle for a material handling vehicle. A single control handle is provided for steering and controlling the vehicle. No floor switch is disclosed.

Claims 12 and 21 recite a steering mechanism that is accessible to an operator operating both the first and second operator control handles when facing a first direction and a second direction opposite the first direction, respectively. Haack requires the operator to use a different mechanism switch depending on operator orientation. Gilliland does not provide separate controls. Therefore, the cited references do not disclose all of the elements of claims 12, 21 and the Applicants respectfully request that the rejection of claim 12 under 35 U.S.C. Section 103 be withdrawn.

Claim 1 has been amended to recite an operator control that is accessible to the operator while standing in both the fore and aft vehicle directions, such that the operator is facing either the fore or aft directions. Claim 1, as amended, is believed to be patentable over the cited references for the same reason as discussed with reference to claims 12 and 21. Claims 6 and 8 have been amended. In view of the amendment, the Applicants respectfully request that the rejection of claims 1 – 10 be withdrawn.

Conclusion

In view of the foregoing amendments, claims 1 – 28 are believed to be in condition for allowance, and the Applicants respectfully request that a notice of allowance be issued for these claims.

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Amtd. Dated October 6, 2005
Reply to Office Action of June 6, 2005

We enclose a Petition and Fee for One Month Extension of Time. If any other fees are believed necessary, please charge Deposit Account 17-0055.

Respectfully submitted,

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Amendments to the Drawings:

A replacement sheet for Fig. 5, deleting reference numeral 4, is attached hereto.

Attachment: Replacement sheet for Fig. 5.